

REMARKS

Applicants appreciate the approval of the drawings. Figure 6, however, has been amended to be separately labeled as Figure 6(A) and Figure 6(B) in accordance with USPTO rules. Figures 6(A) and 6(B) are identical to the Figure previously provided. Approval of Figures 6(A) and 6(B) is respectfully requested.

Applicants amend the specification to make specific reference to individual Figures 6(A) and 6(B) therein. Approval is respectfully requested.

In the Office Action, paragraph 1 indicates that the Applicants have not filed a certified copy of Japanese Patent Application 2000-354784 as required for the priority claim under 35 USC §119(b). This statement is in error. When this application was originally filed, a certified copy of the priority application was provided. This is shown by copies of the following documents:

- (1) a copy of the Express Mailing Certificate
- (2) a copy of the Patent Application Transmittal
- (3) a copy of the certified copy of the priority application
- (4) a copy of the Postal Card showing receipt of the application and certified copy.

The copy of the Express Mailing Certificate evidences mailing of the Patent Application Transmittal and enclosures listed thereon. The copy of the Patent Application Transmittal lists the priority document as an enclosure therein. More importantly, the copy of the postal card shows receipt of the certified copy of the Japanese Serial No. 2000-354784 application, as well as the other documents, by the USPTO.

The above evidence proves that the certified copy of the priority document was submitted to the USPTO. Therefore, an indication that the priority document was received by the USPTO is respectfully requested.

Paragraph 2 of the Office Action has been considered. Applicants agree that a claim for priority cannot be based on an application filed more than 12 months earlier in Japan. Therefore, Applicants limit their claim to the above discussed '784 Japanese application.

The objections to Claims 6 and 7 have been considered. Claims 6 and 7 have been cancelled.

The indication of allowable subject matter in Claims 3-5 is greatly appreciated. Independent Claim 1 has been amended to include the features of cancelled dependent Claim 3. Therefore, independent Claim 1 is believed allowable over the prior art of record.

Dependent Claim 5 has been rewritten into independent form including the features of parent Claim 1. Therefore, Claim 5 is now believed allowable over the applied prior art.

Claims 2 and 4 are believed allowable for the same reasons as amended Claim 1.

Added Claims 8-10 depend from independent Claim 5 and therefore are believed allowable. Claim 11 depends from Claim 1 and therefore is believed allowable.

Favorable consideration of this application and allowance of Claims 1, 2, 4, 5 and 8-11 is respectfully requested.

Respectfully submitted,



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Reg. No. 36 328

Reg. No. 53 685

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Encl: Copy of Express Mailing Certificate  
Copy of Patent Application Transmittal  
Copy of postal card  
Copy of certified copy of Japanese Patent  
Appln. No. 2000-354784  
Drawing sheet of Figs. 6(A) and 6(B)  
Postal Card



PA NT APPLICATION

IN THE U.S. PATENT AND TRADEMARK OFFICE  
Express Mail Label No.: EL 697 493 639 US  
Attorney Docket No.: OPS Case 555  
November 7, 2001

Box Patent Application  
Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

Transmitted herewith for filing is the patent application of:

Inventor(s) : Okimitsu YASUDA and Seiichi FUJII

For : SULFURIC ACID RYCYCLE APPARATUS

Enclosed are:

- [X] Specification  
[X] Declaration or Oath  
[X] 6 Drawing Sheets [X] Formal  
[ ] Informal  
[X] Preliminary Amendment Cancelling Claims  
[ ] Amendment Before First Office Action  
[ ] Information Disclosure Statement  
[X] One Statement(s) re small entity (37 CFR 1.9 and 1.27)  
[X] Assignment, with Recordation Form Cover Sheet  
[X] Acknowledgment Postal Card  
[X] Priority is claimed under 35 USC 119 based on Japanese  
Application No. 2000-354784, filed November 21, 2000.  
[X] A certified copy of the priority application is  
enclosed.

The filing fee is calculated as shown below, after entering  
any enclosed Amendment which requests entry before such  
calculation:

For	No. Filed	No. Extra	( ) LG Entity	RATE	(X) SM Entity	Fee
Basic Fee				\$740.00	\$370.00	\$370.00
Total Claims	(7 - 20 = 0)		x	\$ 18.00	x \$ 9.00	0.00
Indep. Claims	(1 - 3 = 0)		x	\$ 84.00	x \$ 42.00	0.00
[ ] Multiple Dep. Claim			+	\$280.00	+	\$140.00
* * * TOTAL FILING FEE * * *						\$ 370.00

[X] A Check for \$410.00 is enclosed to cover fees.

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- [ ] Please charge my Deposit Account No. 06-1382 in the amount of \$\_\_\_\_\_. A duplicate copy of this sheet is enclosed.
- [X] The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or to credit any overpayment to Deposit Account No. 06-1382. A duplicate copy of this sheet is enclosed.
- [X] Any additional filing fees required under 37 CFR 1.16
- [ ] Any patent application processing fees under 37 CFR 1.17
- [ ] Pursuant to 37 CFR 1.52, the enclosed application is in the form of a foreign language text:
- [ ] An English translation and a statement that the English translation is accurate are enclosed.
- [ ] Please notify the undersigned of the due date for submitting an English translation and a statement that the English translation is accurate.
- [ ] An enclosed check includes the \$130.00 fee (37 CFR 1.17k) for processing a foreign language text.

Respectfully submitted,

  
Dale H. Thiel

IN DUPLICATE

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Reg. No. 44 621

Encl: Listed above

100.0009

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PATENT APPLICATION

"Express Mail" Mailing Label No.: EL 697 493 639 US

Date of Mailing: November 7, 2001

Applicant(s): Okimitsu YASUDA et al.

Title: SULFURIC ACID RYCYCLE APPARATUS

Serial No.: Unknown

Filed: Unknown

Atty Docket No.: OPS Case 555

**MAILED TO PATENT OFFICE**

**DATE** NOV 07 2001 **NOV 07 2001**

Assistant Commissioner for Patents

Washington DC 20231

EXPRESS MAILING CERTIFICATE

Sir:

I hereby certify that the attached paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington DC 20231.

FLYNN, THIEL, BOUTELL & TANIS, P.C.

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By: *Mia Schipper*

Date: November 7, 2001

Document(s) attached: Patent Application Transmittal dated  
November 7, 2001, with listed enclosures

Telephone: (616) 381-1156

191.9912

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Received the following Application:  
Applicant(s): Okimitsu YASUDA et al.  
Title: SULFURIC ACID RYCYCLE APPARATUS  
Serial No.: Unknown  
Filing Date: Unknown  
Pages of: Specification 29, Claims 2, Sheets of Drawings: 6  
Declaration: Enclosed  
PTO Fees: Filing Fee \$370.00; Assignment Recordal \$40.00  
Check (\$410.00)

Other:  
Preliminary Amendment Cancelling Claims  
Marked-up Version of Amended Claims 3 and 5-7  
Statement Claiming Small Entity Status  
Assignment, with Recordation Form Cover Sheet  
Certified Copy of Japanese Serial No. 2000-354784  
Our Ref: OPS Case 555  
Express Mail Cert. (Label No. EL 697 493 639 US)  
Due: November 21, 2001



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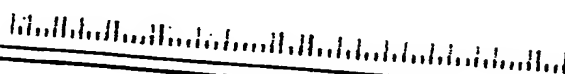
DHT	DGB	RJT
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